

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

STEPHEN MICHAELS LLC,

Plaintiff,

v.

Case No. 11-10678

Hon. Sean F. Cox

Magistrate Judge Mark A. Randon

AMERICAN SUZUKI MOTOR,
CORP.,

Defendant.

_____ /

**ORDER DENYING PLAINTIFF'S MOTION
TO ENFORCE SETTLEMENT AGREEMENT (DKT. 64)**

This matter is before the Court on Plaintiff's Motion to Enforce Settlement Agreement (Dkt. No. 64). The Court has reviewed the submissions of both parties relative to the motion (Dkt. Nos. 64, 69, 71); a hearing on the motion was conducted on July 24, 2012.

This Magistrate Judge assisted the parties in reaching settlement on April 9, 2012, and finds that material terms of agreement have yet to be satisfied. In particular,

- (1) Plaintiff has failed to remove or completely cover all Suzuki signage;
- (2) Plaintiff has failed to remove the word "Suzuki" from its Uniform Resource Locator ("URL"), and
- (3) Defendant has not made payment to Plaintiff, because Plaintiff has failed to comply with items (1) and (2).

Accordingly, **IT IS ORDERED** that Plaintiff's motion to enforce the settlement is **DENIED**.

IT IS FURTHER ORDERED that on or before the close of business on **August 3, 2012**, Plaintiff shall remove or completely cover all Suzuki signage and remove the word “Suzuki” from its Uniform Resource Locator (“URL”). A representative of Defendant may check to ensure Plaintiff’s compliance with this Order on August 4, 2012. Plaintiff’s failure to fully comply with this Order will result in the imposition of severe monetary sanctions.

Following Plaintiff’s compliance, Defendant shall adhere to the settlement agreement with respect to paying Plaintiff all amounts due (including resolution of all outstanding issues related to the reimbursement for parts). Should it be necessary, a telephone conference with the Court shall be scheduled to resolve any further issues.

SO ORDERED.

s/Mark A. Randon
MARK A. RANDON
UNITED STATES MAGISTRATE JUDGE

Dated: July 31, 2012

Certificate of Service

I hereby certify that a copy of the foregoing document was served on the parties of record on this date, July 31, 2012, by electronic and/or first class U.S. mail.

s/Melody R. Miles
Case Manager to Magistrate Judge Mark A. Randon
(313) 234-5540